

11-16-06

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Notice of Non-Compliant Amendment (37 CFR 1.121)	Application No.	Applicant(s)
	10/16/06	
Examiner	Art Unit	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 10/19/06 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- 1. Amendments to the specification:
 - A. Amended paragraph(s) do not include markings.
 - B. New paragraph(s) should not be underlined.
 - C. Other _____.
- 2. Abstract:
 - A. Not presented on a separate sheet. 37 CFR 1.72.
 - B. Other _____.
- 3. Amendments to the drawings:
 - A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - C. Other _____.
- 4. Amendments to the claims:
 - A. A complete listing of all of the claims is not present.
 - B. The listing of claims does not include the text of all pending claims (including withdrawn claims).
 - C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - D. The claims of this amendment paper have not been presented in ascending numerical order.
 - E. Other: Claims 1-90 are missing, please correct. Please note, that withdrawn claims must be listed according to 37 CFR 1.121 or 1.4.
- 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4).

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment, an amendment filed after allowance, or a drawing submission (only). If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

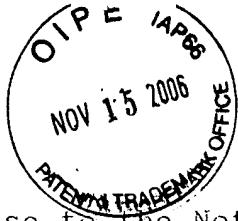
Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.
571-272-4392



Response to the Notice of Non-Compliant Amendment (37 CFR 1-121)
by Rosalind V. Smith, LIE, dated 10/19/2006

Utility Patent Application No. 10/716/064, filed 11/17/2003

Inventor: Michael Gondouin, Phone (415) 456 8237

Patent Examiner: Daniel P. Stephenson, Art Unit 3672

MAILED 11/17/2006 08:00 AM 2006

LIST OF WITHDRAWN CLAIMS (From Rev. # 6 to Rev. # 7)

AND REQUESTED HISTORY OF THE APPLICATION CLAIMS (1-90)

Claims 71, 72, 76, 82, 85 have been "withdrawn", in order to limit the total number of claims to 20, with three independent claims.

The original claims 1 to 12 are provided. They were in numerical order, but they covered two separate inventions, a Major one and a Minor one, according to Examiner Stephenson, who rejected all of the claims. The Minor invention was declared "abandoned" by me, leaving the Major one only to be specified and corrected.

This was the main cause of claims 13-24 and 25-27 to no longer be in a consecutive numerical order, in Rev.# 1, after they were declared to be "abandoned", as shown in the enclosure.

Claims 13-24 and 25-27 were corrected and re-numbered. Claim 28 was also added in Rev.# 2, after "abandonment" of claims 13-24 and 25-27.

This resulted in the re-ordered claims 28-42, herein provided.

Further corrections and additions were introduced in Rev. # 3, # 4 and # 5, to reach Rev. # 6, herein provided, which has a consecutive order, but an excessive number of 25 claims, which were then "cancelled".

The Five "withdrawn" claims, listed above, were deleted in Rev # 7 leaving a total of 20 NEW claims, consecutively numbered 91 to 110,

The entire package was then submitted, by Express Mail, to the US PTO. Fees were also paid by credit card, and marked "to the attention of" the designated LIE, on 10/21/2006.

This package includes the condensed abstract, specification, drawings (new and old) and the 20 NEW claims of Rev # 7.

A receipt of their delivery to the US PTO has been obtained from the US Post Office, in due time.

The enclosed documents present the long history of an application which had been requested to be "made special" in view of the advanced age of the inventor, but never considered as such by the US PTO. I hope that they will, finally, reach their intended destination.